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APPLICATION OF

COLUMBIA GAS OF VIRGINIA, INC.

CASE NO. PUE-2001-00587

**For approval of a Retail Supply Choice
Plan and to Change Rates, Charges, Rules
and Regulations (Phase II)**

HEARING EXAMINER'S RULING

July 18, 2002

On July 12, 2002, Columbia Gas of Virginia, Inc. ("Company" or "Columbia") filed a Motion for Leave to Withdraw and Reinstate Certain Rate Schedules ("Motion of July 12"). Columbia's Motion of July 12 is a result of events occurring on July 11, 2002, in *Petition of Columbia Gas of Virginia for a declaratory judgment*, Case No. PUE-2002-00070, ("declaratory judgment case"). At the July 11, 2002, declaratory judgment hearing, Columbia, Commission Staff, and Respondents presented an Offer of Settlement that, among other things, proposes a revised schedule for Phase II in this case and recommends reinstatement of Rate Schedule TS-1/TS-2 in effect on June 30, 2002. In accordance with the Offer of Settlement in the declaratory judgment case, the Company now requests that:

1. The Commission allow Columbia to withdraw certain rate schedules filed on July 1, 2002 that would be affected by the Offer of Settlement in the declaratory judgment case;
2. The Commission reinstate Rate Schedule TS-1/TS-2 and the Form Service Agreement for Gas Transportation Service with the same terms that were in effect immediately prior to July 1, 2002, and to remain in effect through October 31, 2002. The reinstatement would be with the agreement that the participants will support and abide by the interpretation of Rate Schedule TS-1/TS-2 in accordance with the prefiled Staff testimony of John A. Stevens filed in the declaratory judgment case;
3. The Commission make the July 2, 2002 rate schedules effective for service beginning November 1, 2002 (applicable to bills rendered on and after December 1, 2002, and subject to refund).¹

On July 2, 2002, Stand Energy Corporation filed a Motion to Suspend Deadline for Filing Respondents' Testimony and Exhibits. At the hearing on July 11, 2002, the entire

¹ The November 1, 2002, effective date will only be applicable in the event that the Commission has not issued a final order making rate schedules permanent on or before November 1, 2002.

procedural schedule and hearing date of September 4, 2002,² were suspended in light of the Company's Motion of July 12, 2002.

Also, in its Motion of July 12, the Company sets forth a proposed revised procedural schedule for this case:

1. August 1, 2002 – Columbia is to complete actual notice to TS-1/ TS-2, LGS, LVTS, LVEDTS and customers inquiring as to transportation service within the last 12 months to the extent Columbia has such records;
2. August 1, 2002 – Columbia is to file supplemental testimony;
3. August 14, 2002, - Notices of Intent to Participate as a Respondent due (additional parties only);
4. August 21, 2002 – Respondents' testimony due;
5. August 28, 2002 – Staff testimony due;
6. September 9, 2002 – Columbia rebuttal testimony due; and
7. September 26, 2002 – Hearing.

I find that the parties and Commission Staff should be afforded an opportunity to respond to the Company's Motion of July 12. Accordingly, **IT IS DIRECTED** that comments are to be filed on or before July 24, 2002.

Howard P. Anderson, Jr.
Hearing Examiner

²The September 4, 2002, hearing would be retained to hear public witnesses. Public witnesses may also be heard on the revised hearing date.